

AMENDED IN ASSEMBLY JUNE 26, 2008

AMENDED IN ASSEMBLY JUNE 12, 2008

AMENDED IN SENATE MAY 6, 2008

AMENDED IN SENATE APRIL 23, 2008

AMENDED IN SENATE APRIL 1, 2008

## SENATE BILL

**No. 1629**

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### **Introduced by Senator Steinberg**

#### **(Principal coauthor: Senator Romero)**

(Principal coauthor: Assembly Member Jones)

(Coauthors: Assembly Members Arambula, *Brownley*, *Coto*, Huffman, *Karnette*, Laird, *Mullin*, and Nunez)

February 22, 2008

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An act to add *and repeal* Article 14.5 (commencing with Section 8300) ~~to~~ of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to state preschool programs.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1629, as amended, Steinberg. State preschool programs: Early Learning Quality Improvement System Commission.

Existing law requires the Superintendent of Public Instruction to administer state preschool programs, including part-day and preschool appropriate programs for prekindergarten children 3 to 5 years of age, inclusive, in educational development, health services, social services, nutritional services, parent education and participation, evaluation, and staff development.

This bill would establish the Early Learning Quality Improvement System Commission to develop a framework for improving program

quality and a graduated funding framework that identifies necessary resources. The commission would consist of 22 members. The commission would be required to develop the policy and plan for an Early Learning Quality Improvement System, and would be required to submit an *interim* report on its recommendations to the Legislature and the Governor by December 31, 2009, and a *final report* by December 31, 2010. The bill would require the State Department of Education to provide staff to support the commission, and would require the Superintendent to apply to the California Children and Families Commission for funding to cover costs. The bill would specify that the Early Learning Quality Improvement System may be phased in at the discretion of the Legislature as funds are made available. *The bill's provisions would become inoperative on July 1, 2011, and would be repealed on January 1, 2012.* The bill would become operative only if AB 2759 of the 2008–09 Regular Session of the Legislature is enacted and becomes effective on or before January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Research shows that experiences in the earliest stages of life
- 4 play a critical role in the ability of a child to grow up healthy and
- 5 ready to learn.
- 6 (b) Research shows that preschool is a proven investment in the
- 7 academic success of children and their success later in life. A
- 8 high-quality preschool system would benefit California children,
- 9 the state's systems of public and higher education, its families and
- 10 students, and its economy overall.
- 11 (c) Effective preschool provides eager young learners with early
- 12 academic and social skills that prepare them for later learning.
- 13 Developing these skills requires developmentally appropriate,
- 14 intentional instruction from skilled teachers who build on the earlier
- 15 learning experiences, including the cultural and linguistic assets,
- 16 of a child and support the development of the whole child.
- 17 (d) California has a long history, dating back to the end of World
- 18 War II, of the State Department of Education providing preschool
- 19 and child development programs.

1 (e) Unfortunately, too many children are turned away from  
2 preschool, and the children who lack access to preschool are  
3 disproportionately children of color, children whose home language  
4 is not English, and children whose parents did not graduate from  
5 high school. Research has shown that only one-half of all eligible  
6 children in California are enrolled in a state preschool or the federal  
7 Head Start program.

8 (f) According to the National Institute of Early Education  
9 Research, California's state preschool programs meet only four of  
10 10 benchmarks for quality preschool. A vast body of research  
11 shows that only high-quality preschool results in the child outcomes  
12 and cost benefits widely attributed to preschool.

13 (g) Making the necessary investments to expand the state's  
14 preschool system while the state faces a budget shortfall will be  
15 difficult, but important steps can be taken now to put in place the  
16 framework for a high-quality preschool system upon which future  
17 expansion can be built.

18 SEC. 2. It is the intent of the Legislature to establish the Early  
19 Learning Quality Improvement System Commission to develop a  
20 framework for improving program quality and a graduated funding  
21 framework that identifies the necessary resources for programs to  
22 achieve and maintain higher quality, and the support and  
23 opportunity for teachers to reach higher levels of education. The  
24 graduated funding framework shall promote the preservation of  
25 existing State Department of Education child care and development  
26 programs. Throughout its work, the commission shall consider  
27 how to support high-quality early learning experiences for children  
28 from birth to five years of age, including existing State Department  
29 of Education child care and development programs.

30 SEC. 3. Article 14.5 (commencing with Section 8300) is added  
31 to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education  
32 Code, to read:

33  
34 Article 14.5. Early Learning Quality Improvement System  
35 Commission  
36

37 8300. (a) The Early Learning Quality Improvement System  
38 Commission is hereby established in the state government. The  
39 commission shall consist of 22 members as follows:

1 (1) The Superintendent of Public Instruction, who shall chair  
2 and convene the commission, or his or her designee.

3 (2) The Secretary of Education or his or her designee.

4 (3) The President pro Tempore of the Senate or his or her  
5 designee.

6 (4) The Speaker of the Assembly or his or her designee.

7 (5) The Chairperson of the California Children and Families  
8 Commission or his or her designee.

9 (6) The President of the University of California or his or her  
10 designee.

11 (7) The Chancellor of the California State University or his or  
12 her designee.

13 (8) The Chancellor of the California Community College system  
14 or his or her designee.

15 (9) The Chairperson of the California Commission on Teacher  
16 Credentialing or his or her designee.

17 (10) The Director of the Department of Social Services or his  
18 or her designee.

19 (11) The Governor shall appoint four representatives from the  
20 early care and education community including the following:

21 (A) At least one appointee who is a preschool teacher and is  
22 employed by a private licensed child care provider.

23 (B) At least one appointee who is a program administrator of a  
24 child development program funded by the department and is  
25 employed by a local educational agency.

26 (C) At least one appointee who is an infant-toddler caregiver.

27 (12) The Speaker of the Assembly shall appoint an early care  
28 and education teacher who is employed by a local educational  
29 agency.

30 (13) The Senate Committee on Rules shall appoint a child  
31 development program administrator who is employed by a private  
32 agency operating a child development program funded by the  
33 department.

34 *(14) The Speaker of the Assembly shall appoint a local*  
35 *educational agency teacher who teaches kindergarten.*

36 *(15) The Senate Committee on Rules shall appoint a local*  
37 *educational agency teacher who teaches kindergarten or any of*  
38 *grades 1 to 12, inclusive.*

39 ~~(14)~~

1 (16) The Speaker of the Assembly and the Senate Committee  
2 on Rules shall each appoint one representative from each of the  
3 following communities:

4 ~~(A) Public schools that provide instruction in kindergarten and~~  
5 ~~grades 1 to 12, inclusive.~~

6 ~~(B)~~

7 (A) Experts in the needs of English learners.

8 ~~(C)~~

9 (B) Parents or guardians of children who are enrolled in early  
10 care and education programs funded by the state.

11 (b) The commission shall seek expertise from persons in the  
12 following areas: early care and education; English language  
13 development, including primary and secondary language  
14 acquisition; exceptional needs and disabilities; infant and toddler  
15 care; consumer education; parent and guardian engagement;  
16 workforce development; facilities development; technical  
17 assistance; and other state and local early learning quality  
18 improvement systems.

19 ~~(c) The commission shall meet no less frequently than each~~  
20 ~~quarter of the fiscal year and at the call of the chairperson at a time~~  
21 ~~and location convenient to the public, as the chairperson may deem~~  
22 ~~appropriate. All meetings shall be open to the public in accordance~~  
23 ~~with Article 9 (commencing with Section 11120) of Chapter 1 of~~  
24 ~~Part 1 of Division 3 of Title 2 of the Government Code.~~

25 ~~(d)~~

26 (c) The appointed members of the commission shall serve at  
27 the pleasure of their appointing authority.

28 ~~(e)~~

29 (d) The members of the commission shall be entitled to  
30 reimbursement for expenses and ~~members appointed pursuant to~~  
31 ~~paragraph (11) of subdivision (a)~~ shall be entitled to a per diem of  
32 one hundred dollars (\$100) per day. *Members of the commission*  
33 *who are state officers or employees and who are compensated by*  
34 *the state are not eligible for a per diem pursuant to this section.*

35 ~~(f)~~

36 (e) The commission may establish subcommittees and other  
37 methods for engaging stakeholders. The commission shall seek  
38 public input in order to create opportunities for broad-based input  
39 and the exchange of viewpoints and ideas.

8301. (a) The commission shall develop the policy and implementation plan for an Early Learning Quality Improvement System for the state and shall submit ~~a report, to the Legislature and the Governor, an interim report by December 31, 2009, and a final report by December 31, 2010,~~ containing its recommendations for the creation of an Early Learning Quality Improvement System ~~to the Legislature and the Governor by December 31, 2009.~~ The report shall address, but need not be limited to, the following three elements of a quality improvement system:

(1) An assessment and analysis of the existing early care and education infrastructure including an identification of the strengths, gaps, and barriers to achieving higher quality early learning programs. This analysis shall identify strategies that support and build upon the existing and future diversity of the early care and education workforce, so that it reflects the cultural and linguistic diversity of the children of California, and ensures that the existing workforce has the opportunity and support to meet the levels of education qualifications recommended by the commission, while also meeting the diverse needs of California's young children.

(2) The development of an early learning quality rating scale for child development and care programs, including preschool, that serve children from birth to five years of age, *inclusive*, ~~including preschool age-inclusive, children and infants~~ *children, infants*, and toddlers. The commission shall consider consumer awareness so that parents receive accurate information about the type of program in which their children are enrolled. The commission also shall consider, but need not be limited to, the following features of high quality programs:

(A) Developmentally, linguistically, and culturally appropriate practices.

(B) Staff qualifications and professional development and education needs.

(C) Staff compensation and retention.

(D) Group size and ratios.

(E) Learning environment.

(F) Statutory and regulatory compliance, including provisions of Title 5 and Title 22 of the California Code of Regulations relating to child care and development.

1 (G) Articulation within systems of care for children from birth  
2 to five years of age, and with the K-12 public school system.

3 (H) The inclusion of children with exceptional needs and  
4 children with disabilities.

5 (I) English learner support.

6 (J) Family involvement.

7 (K) Comprehensive health and development screenings using  
8 standard tools.

9 (L) Data collection and methods to support continuous quality  
10 improvement.

11 (M) Program management and leadership.

12 (3) The development of a graduated funding model aligned with  
13 the quality rating scale that provides the necessary resources for  
14 programs to achieve higher quality levels, and that supports  
15 continuous program quality improvement.

16 (b) *The commission shall meet no less frequently than each*  
17 *quarter per year, at the call of the chairperson, at a time and*  
18 *location convenient to the public, as the chairperson deems*  
19 *appropriate. All meetings shall be open to the public in accordance*  
20 *with Article 9 (commencing with Section 11120) of Chapter 1 of*  
21 *Part 1 of Division 3 of Title 2 of the Government Code. Once a*  
22 *draft report of the final report is complete, the commission shall*  
23 *conduct no less than four public hearings in different parts of the*  
24 *state to ensure that the commission obtains meaningful public input*  
25 *prior to submitting its report to the Governor and the Legislature.*

26 8302. The State Department of Education shall provide staff  
27 support to the commission.

28 8303. No General Fund expenditures shall be required to fund  
29 the work of the commission. The commission shall be established  
30 only after the Superintendent applies to and obtains funds from  
31 the California Children and Families Commission or other sources.  
32 The Superintendent shall apply to the California Children and  
33 Families Commission for funding to cover commission costs,  
34 including, but not limited to, staff support, travel expenses, and  
35 per diem costs.

36 8304. The Early Learning Quality Improvement System may  
37 be phased in at the discretion of the Legislature as federal, state,  
38 or local public funds are made available.

39 8305. *This article shall become inoperative on July 1, 2011,*  
40 *and, as of January 1, 2012, is repealed, unless a later enacted*

1 *statute, that becomes operative on or before January 1, 2012,*  
2 *deletes or extends the dates on which it becomes inoperative and*  
3 *is repealed.*

4 SEC. 4. This act shall become operative only if Assembly Bill  
5 2759 of the 2008–09 Regular Session of the Legislature is enacted  
6 and becomes operative on or before January 1, 2009.

7 SEC. 5. This act shall be binding upon the University of  
8 California only to the extent that the Regents of the University of  
9 California, by resolution, make it binding.